

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for the Defendant
By: LESLIE A. RAMIREZ-FISHER
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Tel.: (212) 637-2712
Fax: (212) 637-2750
Email: leslie.ramirez-fisher@usdoj.gov

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X

JUAN D. MARROW,	:	
	:	<u>NOTICE OF MOTION</u>
Plaintiff,	:	
	:	
v.	:	06 Civ. 13681 (SCR) (GAY)
	:	
JOHN E. POTTER, POSTMASTER GENERAL,	:	
	:	
Defendant.	:	

----- X

PLEASE TAKE NOTICE that, upon the declaration of Michael Singer and the attached exhibits, the declaration of Leslie A. Ramirez-Fisher and the attached exhibits, Defendant's Statement Pursuant to Local Rule 56.1, and the Memorandum of Law in Support of Defendant's Motion for Summary Judgment, dated September 25, 2009, defendant John E. Potter, the Postmaster General, by his attorney, Preet Bharara, United States Attorney for the Southern District of New York, will move this Court before the Honorable George A. Yanthis, United States Magistrate Judge for the Southern District of New York, United States Courthouse, 300 Quarropas Street, White Plains, New York, for an order pursuant to Rule 56(c) of the Federal Rules of Civil Procedure granting defendant summary judgment and dismissing

the complaint in its entirety.

PLEASE TAKE FURTHER NOTICE that this motion is made on submission, and no argument shall be heard unless the Court orders otherwise.

Dated: New York, New York.
September 25, 2009

PREET BHARARA
United States Attorney for the
Southern District of New York
Attorney for Defendant

By: /s/ Leslie A. Ramirez-Fisher
LESLIE A. RAMIREZ-FISHER
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Tel.: (212) 637-0378
Fax: (212) 637-2750
Email: leslie.ramirez-fisher@usdoj.gov

To: Antoinette L. Williams, Esq.
One Wolfs Lane, Suite No. 9
Pelham, New York, 10803

CERTIFICATE OF SERVICE

I, Leslie A. Ramirez-Fisher, am employed in the United States Attorney's Office for the Southern District of New York.

On the 25th day of September 2009, I served a copy of the within notice of motion, declaration of Michael Singer and the attached exhibits, the declaration of Leslie A. Ramirez-Fisher and the attached exhibits, Defendant's Statement Pursuant to Local Rule 56.1, and the Memorandum of Law in Support of Defendant's Motion for Summary Judgment, dated September 25, 2009, the service copy being Express Mail:

Antoinette L. Williams, Esq.
One Wolfs Lane, Suite No. 9
Pelham, New York, 10803

I affirm under penalty of perjury that the foregoing is true and correct.

Executed on: September 25, 2009

By: /s/ Leslie A. Ramirez-Fisher
LESLIE A. RAMIREZ-FISHER
Assistant United States Attorney